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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,440	12/31/2003	Gregory Joseph Badros	24207-10067	8962

62296                      7590                      06/06/2007  
 GOOGLE / FENWICK  
 SILICON VALLEY CENTER  
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 MOUNTAIN VIEW, CA 94041

EXAMINER
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LEROUX, ETIENNE PIERRE

ART UNIT	PAPER NUMBER
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2161

MAIL DATE	DELIVERY MODE
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06/06/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

<b>Application No.</b> 10/749,440	<b>Applicant(s)</b> BADROS ET AL.
<b>Examiner</b> Etienne P. LeRoux	<b>Art Unit</b> 2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 23 April 2007.  
2a)  This action is **FINAL**.                      2b)  This action is non-final.  
3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-11, 14-39 and 42-61 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-11, 14-39 and 42-61 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.  
10)  The drawing(s) filed on 31 December 2003 is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All   b)  Some \*   c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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***Claim Status***

Claims 1-11, 14-39 and 42-61 are pending, claims 12, 13, 40 and 41 have been cancelled.

Claims 1-11, 14-39 and 42-61 are rejected as detailed below.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The metes and bounds of the present invention as claimed cannot be determined because it is unclear what comprises "and/or."

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-9, 11, 14-25, 27-29, 31-37, 39, 42-51, 53-55, 57 and 59-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub No US 2003/0172126 (Brown et al), hereafter Brown in view of Pat No 6,983,273 (Banerjee et al), hereafter Banerjee.

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Claim 1, 11, 15, 16, 19-21, 23-25, 27-29, 39, 43-47, 49-51, 53-55, 57 and 59-61:

Brown discloses:

receiving an interest signal indicating an interest in a hyperlink contained in a first document [Fig 2, get summary request information]

Brown discloses the elements of the invention as noted above but does not disclose generating a request signal comprising a request for third-party-provided information about a second document associated with the hyperlink, the third party provided information providing an indication of the disruptiveness and/or liveness of the second document. Banerjee discloses generating a request signal comprising a request for third-party-provided information about a second document associated with the hyperlink, the third party provided information providing an indication of the disruptiveness and/or liveness of the second document [Fig 3, ratings servers 35, col 7, lines 1-55, (j) contains material inappropriate for minors or other objectionable material]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown to include generating a request signal comprising a request for third-party-provided information about a second document associated with the hyperlink, the third party provided information providing an indication of the disruptiveness and/or liveness of the second document as taught by Banerjee for the purpose of alerting a web surfer of objectionable material included in a web site which the surfer may access.

The combination of Brown and Banerjee discloses receiving the third-party-provided information; and causing the third-party-provided information to be output in association with the first document [Brown; Fig 3, push HTML condensed info page]

Claims 3 and 31:

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The combination of Brown and Banerjee discloses user-related information [Banerjee: Fig 3, ratings servers 35, col 7, lines 1-55, (j) contains material inappropriate for minors or other objectionable material].

Claims 4, 14, 32 and 42:

The combination of Brown and Banerjee discloses wherein the user-related information comprises query-related information [Banerjee: Fig 3, ratings servers 35, col 7, lines 1-55, (j) contains material inappropriate for minors or other objectionable material].

Claims 5, 6, 33 and 34:

The combination of Brown and Banerjee discloses wherein the third-party-provided information comprises a content snippet of the second document [Brown, abstract]

Claims 7 and 35:

The combination of Brown and Banerjee discloses wherein the third-party-provided information comprises past-user information [Banerjee: Fig 3, ratings servers 35, col 7, lines 1-55, (j) contains material inappropriate for minors or other objectionable material].

Claims 8 and 36:

Chang discloses wherein the past-user information comprises a user-supplied rating of the second document [Banerjee: abstract, user preferences]

Claims 9 and 37:

The combination of Brown and Banerjee discloses wherein the past-user information comprises at least one of: a period of linger time, a quantity of repeat visits, a quantity of repeat queries, and a quantity of click-throughs [Banerjee: col 7, line 46]

Claim 17:

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The combination of Brown and Banerjee discloses the elements of the claimed invention as noted above but does not disclose wherein the interest signal comprises an indication of a pointing device hovering over the hyperlink. Official Notice is taken that the above limitation is well-known and expected in the art [specification paragraph 17] for the purpose of selected a desired piece of information.

Claims 18, 22 and 48:

The combination of Brown and Banerjee discloses the elements of the claimed invention as noted above but does not disclose wherein the interest signal comprises an indication of a right-click of a pointing device on the hyperlink. Official Notice is taken that the above limitation is well-known and expected in the art [specification paragraph 17] for the purpose of selected a desired piece of information.

Claims 2, 30, 56 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brown and Banerjee as applied to claims 1, 29, 55 and 57 in view of Pub No US 2005/0044224 issued to Jun et al (hereafter Jun).

Claims 2, 30, 56 and 58:

The combination of Brown and Banerjee discloses the elements of claim 1 as noted above but does not disclose logging the interest signal. Jun discloses logging the interest signal [paragraph 256]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include logging the interest signal as taught by Jun for the purpose of maintaining a record of a user's visit to the website.

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Claims 10 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brown and Banerjee as applied to claims 1 and 29 in view of Pub No US 2002/0002438 issued to Ohmura et al (hereafter Ohmura).

Claim 10 and 38:

The combination of Brown and Banerjee discloses the elements of claims 1 and 7 as noted above but does not disclose a genre of the second document. Ohmura discloses a genre of the second document [Fig 5, paragraph 76]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include a genre of the second document as taught by Ohmura for the purpose of locating a restaurant of choice [paragraph 76]

Claims 26 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Brown and Banerjee as applied to claims 1 and 29 in view of Pub No US 2002/0059073 (Zondervan et al), hereafter Zondervan.

Claim 26 and 52:

The combination of Brown and Banerjee discloses the elements of the claimed invention as noted above but does not disclose wherein output in association with the first document comprises audibly outputting the third-party provided information. Zondervan discloses audibly outputting information [paragraph 14]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein output in association with the first document comprises audibly outputting the third-

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party provided information as taught by Zondervan for the purpose speeding up the user's performance by providing audible information.

***Response to Arguments***

Applicant's arguments filed 4/23/2007 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.



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***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Etienne LeRoux

5/29/2007



ETIENNE LEROUX  
PRIMARY EXAMINER